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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/708,898	11/08/2000	Roni Even	ACC3(6544.107870)	3103

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EXAMINER

WON, MICHAEL YOUNG

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 12/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/708,898

Applicant(s)

EVEN ET AL.

Examiner

Michael Y. Won

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22, 24 and 49-63 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22, 24 and 49-63 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is in response to the amendment filed October 12, 2005.
2. Claims 1, 9, 13, and 24 have been amended and claims 23 and 64 have been cancelled.
3. Claims 1-22, 24, and 49-63 have been examined and are pending with this action.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 13-22, 24, and 58-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Catanzaro et al. (US 6,438,111 B1) in view of Semaan (US 5,680,392 A)

### **INDEPENDENT:**

As per **claim 13**, Catanzaro teaches a system for establishing a multimedia communication between a plurality of multimedia terminals using a plurality of multipoint

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control units in communication with the plurality of multimedia terminals (see Fig.1 and col.1, line 59-col.2, line 5), the system comprising: a virtual multipoint control unit (see Fig.2, #105 and col.3, lines 24-25: "router 105") communicatively interconnected to the plurality of multipoint control units (see col.1, lines 26-32: "multipoint server") and controlling participant slots of the multipoint control units (see Fig.2 and col.1, lines 36-43), wherein the virtual multipoint control unit is configured to interconnect the plurality of multimedia terminals in the multimedia communication via the participant slots of the at least two of the plurality of multipoint control units (see col.4, lines 33-47 and line 52-col.5, line 11).

Although Catanzaro teaches of a virtual multipoint control unit, he does not explicitly teach wherein the virtual multipoint control unit is capable of scheduling and hosting a video conference. Semaan teaches of a virtual multipoint control unit is capable of scheduling and hosting a video conference (see Fig.2; Fig.2a; and col.3, lines 48-56 and col.3, line 63-col.4, line 11).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teaching of Semaan within the system of Catanzaro by implementing the virtual multipoint control unit to schedule and host a video conference within the system for establishing a multimedia communication between a plurality of multimedia terminals using a plurality of multipoint control units because Semaan teaches that such an implementation allows a guaranteed resource for a given user that has reserved access to the MCU in advance (see col.1, lines 57-65).

As per **claim 24**, Catanzaro teaches a system for multimedia communication, comprising: a plurality of multimedia terminals (inherent: see Fig.1 and col.1, lines 26-28); a plurality of multipoint control units in communication with the plurality of multimedia terminals (see Fig.1 and Fig.2); and a virtual control unit communicatively interconnected to the plurality of corresponding multipoint control units for controlling the plurality of multipoint control units from a single location (see col.3, lines 24-25), wherein the virtual multipoint control unit is one of the plurality of multipoint control units (implicit: see col.6, lines 38-41 & lines 41-44).

Although Catanzaro teaches of a virtual multipoint control unit, he does not explicitly teach wherein the virtual multipoint control unit is capable of scheduling and hosting a video conference. Semaan teaches of a virtual multipoint control unit is capable of scheduling and hosting a video conference (see Fig.2; Fig.2a; and col.3, lines 48-56 and col.3, line 63-col.4, line 11).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teaching of Semaan within the system of Catanzaro by implementing the virtual multipoint control unit to schedule and host a video conference within the system for establishing a multimedia communication between a plurality of multimedia terminals using a plurality of multipoint control units because Semaan teaches that such an implementation allows a guaranteed resource for a given user that has reserved access to the MCU in advance (see col.1, lines 57-65).

**DEPENDENT:**

As per **claims 14 and 59**, Catanzaro further teaches wherein the multimedia terminals comprises at least one H.320 terminal, at least one H.323 terminal, or at least one H.321 terminal (see col.2, lines 47-51).

As per **claim 15**, Catanzaro teaches wherein the virtual multipoint control unit is configured to: determine available participant slots on each of the multipoint control units (see col.4, TABLE ONE & lines 33-35); and interconnect the multimedia terminals of the multimedia communication via the available participant slots of the at least two of the multipoint control units, if the multimedia communication has a number of terminals that exceeds a number of the available participant slots on each of the multipoint control units (see col.1, lines 36-53; col.1, line 63-col.2, line 5; and col.4, lines 39-47).

As per **claim 16**, Catanzaro further teaches wherein the virtual multipoint control unit is further configured to: interconnect the multimedia terminals of two or more multimedia communications via available participant slots of the one of the multipoint control units, if the two or more multimedia communications have a number of terminals that is less than or equal to a number of the available participant slots of the one multipoint control unit (see col.4, lines 40-56 and col.6, lines 24-32).

As per **claims 17 and 60**, Catanzaro further teaches wherein the multimedia terminals include a combination of H.320, H.321, and H.323 systems (see col.1, lines 14-25 and col.3, lines 19-23).

As per **claim 18**, Catanzaro does not explicitly teach wherein the multimedia terminals can communicate over an ATM network. Semaan teaches wherein the multimedia terminals can communicate over an ATM network (see col.3, lines 11-23). It

would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Semaan within the system of Catanzaro by implementing communicating over an ATM network within the system for establishing a multimedia communication between a plurality of multimedia terminals because Catanzaro teaches that the "inventive concept is applicable to other types of networks as well" (see col.2, lines 61-65).

As per **claims 19 and 61**, Catanzaro further teaches wherein the multimedia terminals can communicate over a LAN/Internet network (see col.1, lines 20-24).

As per **claim 20**, Catanzaro does not explicitly teach wherein the multimedia terminals can communicate over an ISDN network. Semaan teaches wherein the multimedia terminals can communicate over an ISDN network (see col.3, lines 11-23). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Semaan within the system of Catanzaro by implementing communicating over an ISDN network within the system for establishing a multimedia communication between a plurality of multimedia terminals because Catanzaro teaches that the "inventive concept is applicable to other types of networks as well" (see col.2, lines 61-65).

As per **claims 21 and 62**, Catanzaro further teaches wherein the virtual multipoint control unit is capable of communicating with terminals of various standards (see col.2, lines 47-51).

As per **claims 22 and 63**, Catanzaro further teaches wherein the terminals are compatible with the H.320, H.321, and H.323 standards (see claim 17 rejection above).

As per **claim 58**, Catanzaro further teaches wherein the virtual multipoint control unit is one of the plurality of multipoint control units (implicit: see col.6, lines 38-41 & lines 41-44).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-12, and 49-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kumar et al. (US 6,006,253 A) in view of Semaan (US 5,680,392 A).

**INDEPENDENT:**

As per **claims 1 and 9**, Kumar teaches a method for multimedia communication, comprising the steps of: identifying capability factors for each of the plurality of multimedia terminals and each of the plurality of corresponding multipoint control units (see col.1, lines 23-29: H.232 requirement); responsive to a command to initiate a multimedia communication between at least two of the plurality of multimedia terminals, evaluating the capability factors for each of the at least two multimedia terminals (see col.1, lines 23-29: H.232 requirement: "capability negotiation"); and comparing the capability factors for each of the at least two multimedia terminals to the capability



factors of the multipoint control units communicatively interconnected to the central controller to determine a preferred interconnection between the at least two multimedia terminals (see col.5, lines 63-66).

Kumar does not explicitly teach of communicatively interconnecting a plurality of multipoint control units to a central controller, wherein the central controller is capable of scheduling and hosting a video conference; responsive to the comparing of capability factors, the central controller directing a communicative interconnection between the at least two multimedia terminals via at least two of the plurality of multipoint control units; *and controlling multipoint control unit participant slots with the central controller, wherein the central controller controls the multipoint control unit participant slots as if it were an additional slot (as recited in claim 9).*

Semaan teaches of a central controller communicatively interconnecting to the plurality of corresponding multipoint control units, wherein the central controller is capable of scheduling and hosting a video conference (see Fig.2; Fig.2a; and col.3, lines 48-56 and col.3, line 63-col.4, line 11); responsive to the comparing of capability factors (taught by Kumar), the central controller directing a communicative interconnection between the at least two multimedia terminals via at least two of the plurality of multipoint control units (see col.3, lines 48-56); *and controlling multipoint control unit participant slots with the central controller, wherein the central controller controls the multipoint control unit participant slots as if it were an additional slot (see col.3, line 63-col.4, line 1 and col.6, lines 20-43).*

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Semaan within the system of Kumar by implementing communicatively interconnecting a plurality of multipoint control units to a central controller, wherein the central controller is capable of scheduling and hosting a video conference and directing a communicative interconnection between the at least two multimedia terminals via at least two of the plurality of multipoint control units, *for controlling multipoint control unit participant slots as if it were additional slots* within the multimedia communication method because Semaan teaches that such an implementation gives those who have made reservation requests in advance, guaranteed available resources (see col.1, lines 60-65).

**DEPENDENT:**

As per **claims 2 and 49**, Kumar further teaches wherein the capability factors include identification factors (see col.4, lines 63-65), matching factors (see col.6, lines 1-7), and routing factors (implicit: see col.3, lines 40-43).

As per **claims 3 and 50**, Kumar does not explicitly teach wherein the identification factors include information relating to the identity, needs, requirements, and participation authority of the plurality of multimedia terminals. Semaan teaches wherein the identification factors include information relating to the identity, needs, requirements, and participation authority of the plurality of multimedia terminals (see col.5, lines 52-58 and col.6, lines 8-13).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Semaan within the system of Kumar by

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implementing an identification factor including a plurality of information within the multimedia communication method because Catanzaro teaches that the identification can be used to specify selections of additional MCU's (see above reference location provided).

As per **claims 4 and 51**, Kumar does not explicitly teach wherein the matching factors include information relating to the capacity and technological orientation. Semaan teaches wherein the matching factors include information relating to the capacity and technological orientation (see col.10, lines 60-63).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Semaan within the system of Kumar by implementing a matching factor including information relating to the capacity and technological orientation method because Semaan teaches that there are proprietary or alternative standardized schemes and even proprietary reservation controllers (see col.2, lines 27-38. Therefore, by matching information relating to capacity and technological orientation allows for desired reservation and communication.

As per **claims 5 and 52**, Kumar does not teach wherein the routing factors include information relating to the most expeditious route for effecting the communicative interconnection between the at least two multimedia terminals and the corresponding multipoint control units. Semaan teaches of wherein the routing factors include information relating to the most expeditious route for effecting the communicative interconnection between the at least two multimedia terminals and the

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corresponding multipoint control units (implicit: see col.6, lines 8-13: "resources necessary for the conference"; and col.6, lines 20-43).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Semaan within the system of Kumar by implementing a routing factor including a plurality of information relating to the most expeditious route within the multimedia communication method because Semaan teaches of optimizing guaranteeing bandwidth (see col.2, lines 1-7) and by implementing the most expeditious route, greater bandwidth will be available to guarantee and service more requests.

As per **claims 6 and 53**, Kumar teaches of further comprising: allocating conferences on multipoint control units such that the number of conferences that can be scheduled on a conference schedule is optimized (see col.9, lines 60-65).

As per **claims 7 and 54**, Kumar further teaches wherein the conference schedule is optimized by combining conferences on a multipoint control unit so as to maximize the number of participants on the multipoint control unit (see col.9, lines 60-65: "sufficient resources").

As per **claim 8**, Kumar teaches of further comprising: controlling multipoint control unit participant slots with the virtual multipoint control unit (see claim 1 rejection above and col.5, lines 60-64).

As per **claims 10 and 55**, Kumar further teaches wherein the multipoint control unit participant slots are participant slots remaining after the multipoint control unit is optimally scheduled (inherent).

As per **claims 11 and 56**, Kumar further teaches wherein the command to initiate a multimedia communication is issued when the start time for a conference arrives (see col.4, line 66 to col.5, line 18).

As per **claims 12 and 57**, Kumar further teaches wherein the command to initiate a multimedia communication is issued when a participant requests an impromptu multimedia communication (see col.4, line 66 to col.5, line 18).

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 13 and 24 have been considered but are moot in view of the new ground(s) of rejection. The examiner concurs that Catanzaro does not explicitly teach the amended limitation however in the previously cited reference, Semaan (US 5,680,392) teaches wherein the virtual multipoint control unit is capable of scheduling and hosting a video conference (see rejection above). Because this amended limitation is a limitation from a cancelled dependent claim, this action remains non-final.

7. Similarly with respect to the response above, applicant's arguments with respect to claims 1 and 9 have been considered but are moot in view of the new ground(s) of rejection.

**Conclusion**

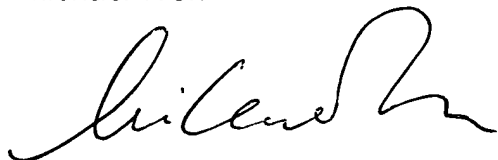
8. For the reasons above, claims 1-22, 24, and 49-63 remain rejected.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Y. Won whose telephone number is 571-272-3993. The examiner can normally be reached on M-Th: 7AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Won



December 15, 2005



SALEH NAJJAR  
SUPERVISORY PATENT EXAMINER